REQUEST FOR COUNCIL ACTION

MEETING
DATE: October 6, 2003

AGENDA SECTION: PUBLIC HEARINGS	ORIGINATING DEPT: PLANNING	ITEM NO.
ITEM DESCRIPTION: Pebble Creek Special District	·	PREPARED BY: Phil Wheeler, AICP, Planning Director

October 2, 2003

Background:

The Rochester Planning and Zoning Commission conducted a hearing on the proposed Pebble Creek Special District and General Development Plan at its regularly scheduled meeting of September 24, 2003, and voted 7-0 to recommend approval of the proposed Special District and General Development Plan with the following conditions:

- 1. Submittal of Character Intent Images for residential dwelling types. The purpose of this submittal is to provide a basis for reviewing architectural mix requirements in the NRD an URD at the time of permit approval. This can easily be resolved prior to Council action on the Special District and GDP, possibly by requiring an updated list of character intent images to be submitted with preliminary plats.
- 2. Preparation of a Development Agreement addressing underlying standards and the effective duration of special district approval. This is addressed in the Special District text by reference and is a joint responsibility of the City and the Applicant.
- 3. The applicant will need to agree to stormwater management charges applying to the property based on land use. These charges will provide credit for maintenance of the storage capacity of the wetlands and waterway.
- 4. Provision for construction and maintenance of the "Future Potential Trail" and midblock signage. The Development Agreement should provide for dedication of the trail area and construction of the trail and signage.
- 5. The applicant will need to agree to maintain the viability of any wetlands intended to be dedicated to the City and to enter into an Ownership & Maintenance Agreement, drafted by the City, in the event a decision is made through the development process that the Outlot(s) containing the wetlands will remain in private ownership.
- 6. Dedication of controlled access will be required through the platting process for the entire frontages of the perimeter roadways, with the exception of any approved public streets access locations. No direct private driveway access will be permitted to any of the perimeter roadways. Additional Controlled Access will be required within 200 feet of 'A' & 'E' street intersections with any of the perimeter roadways, within 150 feet of 'B' street intersections of any perimeter roadway, and within 35 feet from the intersections of any other public roadway with a perimeter roadway.
- 7. The southerly access to 60th Ave NW should be shifted to line up directly across from the access in the Kingsbury Hills development as was shown on the previous Special District / GDP Plan for Pebble Creek.
- 8. Any realignment on this Property of Valleyhigh Rd NW and the intersection with 60th Ave NW shall be consistent with the "60th Ave NW Corridor Management Plan", and may impact the proposed southerly access to 60th Ave NW. In the event the approved Corridor Plan shows the realigned intersection of Valleyhigh Rd NW & 60th Ave NW to be south of this Property, the southerly access to 60th Ave NW shown on the revised Special District GDP plan shall be eliminated.

Recommendation:

The staff recommends approval of the Special District and General Development Plan included in the attached staff report.

Council Action Needed:

1.	If the Council wishes to proceed, it should instruct the City Attorney to prepare an ordinance that can be
	adopted. The Council's decision must be supported by findings based on the criteria listed in the Rocheste
	Zoning Ordinance and Land Development Manual (see attached staff report).

Distribution:

- 1. City Administrator
- 2. City Clerk
- 3. City Attorney
- 4. Planning Department File

COUNCIL ACTION: Motion by:	Second by:	to:	
			•



ROCHESTER – OLMSTED PLANNING DEPARTMENT 2122 CAMPUS DRIVE SE, SUITE 100, ROCHESTER, MN, 55904-4744 PH: (507) 285-8232 FAX: (507) 287-2275

To: Rochester Planning and Zoning Commission

From: Phil Wheeler, AICP, Planning Director

Date: September 24, 2003

Re: General Development Plan #209 to be known as Pebble Creek

Most ordinance language and general development plan issues related to the Pebble Creek Special District have been resolved. Revisions to the ordinance provide for mixed density and mixed use development, a range of densities and housing styles, a pedestrian-friendly environment in commercial and residential areas, significant amounts and types of open space, and attractive connecting pedestrian ways and streets. GDP revisions provide for the preservation of green space and public access along the drainage way and a desirable system of parks and landscaped streets.

The issues mentioned in the memo sent with the Commission packet are resolved to the satisfaction of staff as follows:

- 1. Street dimensions: The GDP includes a revised street map and a table of dimensions satisfactory to staff. there appears to be a discrepancy between the Fire Department's positions on minimum street width for streets with parking. All parties agree that maintenance of 20 feet travel way is required. Provision of a six foot parking lane on a 26 foot street accomplishes this, so the Fire Department's concern that the minimum street width for a street with parking should be 28 feet do not appear justified.
- 2. Projecting garages in the URD: The revised language addresses limitations on the location of townhouses with projecting garages in the URD.

Recommended Conditions and Findings:

Conditions:

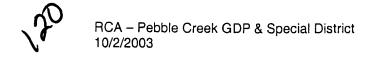
- 1. Submittal of Character Intent Images for residential dwelling types. The purpose of this submittal is to provide a basis for reviewing architectural mix requirements in the NRD an URD at the time of permit approval. This can easily be resolved prior to Council action on the Special District and GDP, possibly by requiring an updated list of character intent images to be submitted with preliminary plats.
- 2. Preparation of a Development Agreement addressing underlying standards and the effective duration of special district approval. This is addressed in the Special District text by reference and is a joint responsibility of the City and the Applicant.
- 3. The applicant will need to agree to stormwater management charges applying to the property based on land use. These charges will provide credit for maintenance of the storage capacity of the wetlands and waterway.
- 4. Provision for construction and maintenance of the "Future Potential Trail" and midblock signage. The Development Agreement should provide for dedication of the trail area and construction of the trail and signage.
- 5. The applicant will need to agree to maintain the viability of any wetlands intended to be dedicated to the City and to enter into an Ownership & Maintenance Agreement, drafted by the City, in the event a decision is made through the

10/02/03

- perimeter streets will be provided for either directly or through the Development Agreement.
- 5. On and off-site public facilities are adequate, or will be adequate if the development is phased in, to serve the properties under consideration and will provide access to adjoining land in a manner that will allow development of those adjoining lands in accord with this ordinance. Phasing of development will be required to provide for concurrent provision of street and other infrastructure capacity.
- 6) The drainage, erosion, and construction in the area can be handled through normal engineering and construction practices, or that, at the time of land subdivision, a more detailed investigation of these matters will be provided to solve unusual problems that have been identified. Public Works is satisfied that erosion and drainage can be handled.
- 7) The lot, block, and street layout for all development and the lot density for residential development are consistent with the subdivision design standards contained in Section 64.100 and compatible with existing and planned development of adjacent parcels. Adjacent parcels are separated by major streets from this development, so the compatibility concerns sometimes associated with large lot development do not apply. Detailed lot configuration concerns will be addressed at the time of preliminary platting.

Recommendation:

Planning staff recommends approval of the Special District Ordinance and General Development Plan subject to the above conditions.



MINUTES OF THE CITY OF ROCHESTER PLANNING COMMISSION (draft)

CONTINUED ITEMS:

Proposed Special District #14 to be known as Pebble Creek and General Development #209 to be known as Pebble Creek by Western Walls, Inc. The Applicant is proposing to zone approximately 56.70 acres of land to a Special District. The Special District includes a General Development Plan for approximately 390.93 acres of land identifying the development of the land. Future land uses proposed include neighborhood commercial centers, urban residential areas and neighborhood residential areas. The Special District also proposed modified roadway sections, smaller lot dimensions and setbacks. The property is located along the west side of 60th Ave. NW, north of Valleyhigh Road NW and south of 55th Street NW.

Mr. Philip H. Wheeler presented the staff reports, dated September 17, 2003 and September 24, 2003, to the Commission. The staff reports are on file at the Rochester-Olmsted Planning Department.

Mr. Wheeler handed out 3 documents. He pointed out the changes made in Section 64O.210, Section 64O.220, and Section 64O.800. He explained that the Ordinance submitted to the Commission is consistent with the overall concept, but has many changes from the first submittal with regard to language. The first major change was reducing sub districts from 4 to 3 and have area accessory uses that can occur anywhere. The minimum lot size was lowered, with a new standard for average lot size, which increases flexibility. He discussed projecting garages being limited.

Ms. Rivas asked if it was an administrative reason for having one side of the street with projecting garages only.

Mr. Wheeler responded that the applicant provided a layout showing where walk outs would be desirable. It happened to be that it always occurred on only one side of the street. The 60% limit on lots with projecting garages was arrived through many conversations.

Ms. Rivas expressed concern that there are no architectural standards being applied.

Mr. Wheeler questioned what the acceptable minimum standard should be for any district. He indicated that it is possible to conclude that giving up the normal standards from the R-1 and R-2 standards could be the preservation of the trail, wetland drainage area, alignment of various commercial and residential uses, and pedestrian amenities. The relevant sections require a mix of architectural styles and submittal of character intent images with the GDP.

Ms. Rivas asked who would decide what the acceptable architectural style would be.

Mr. Wheeler responded staff. He explained that the special district allows for more affordable housing than other special districts that have been approved in the past. This reason should not be the only reason to approve the special district, but should be a factor.

Ms. Wiesner asked if staff would deny permits if the structures did not look like the images submitted by the applicant.

Mr. Quinn stated that the property is covered by an Orderly Annexation Agreement. He asked how it would affect the process of development.

Mr. Wheeler stated that the Commission would not need to be involved in the annexation proceedings. If the special district is approved and the property is annexed into it, the ordinance language provides for its extension to the balance of the general development plan. He indicated that he is not sure procedurally how it will occur. The City cannot adopt an ordinance for land outside its boundaries unless extension of zoning authority is covered in an Orderly Annexation Agreement. He stated that he would have to confer with the City Attorney on the procedures for extending the area covered by the Special District.

Mr. Andy Masterpole, of McGhie and Betts, Inc., addressed the Commission. He stated that they took out the Civic District and replaced it with single family housing. The intent was to allow for civic type uses throughout the rest of the development. They modified the small park in the northwest corner of the site by removing the perimeter of houses around it and created more of a town square. He explained the cost savings of small street widths, as well as being safer due to reduced speeds. They are proposing parking on one side of the streets in the low density residential areas.

Ms. Joan DeWitz, of 604 11 Avenue NW, Rochester MN, addressed the Commission. She asked if anyone had questions with regard to the character images.

Ms. Rivas asked if they were proposing to use any of the character images.

Ms. DeWitz responded yes. She explained that the housing styles could change in 15 years. Therefore, they are only submitting the 5 images for this phase of development.

Ms. Rivas asked if there would be landscaping requirements for each residential lot.

Ms. DeWitz responded no. She indicated that people typically landscape their property within 2 years. By not landscaping the property, it keeps the cost affordable.

Ms. Rivas asked why the porch width would only be 6 feet.

Ms. DeWitz responded it was due to the projecting garage.

Mr. Chuck DeWitz, of 604 11th Avenue NW, Rochester MN, addressed the Commission. He stated that the only staff recommended condition that he questions is number 6 regarding access to be within 75 feet from the intersections of any other public roadway with a perimeter roadway. He stated that he thought the agreement was for 35 feet. He indicated that he thought it was a typographical error.

Mr. Wheeler agreed that it should be 35 feet.

Mr. DeWitz agreed with Mr. Wheeler presentation of the proposed development.

Ms. Rivas stated that she liked all the green space in the development.

With no one else wishing to be heard, Ms. Wiesner closed the public hearing.

Property, the southerly access to 60th Ave NW shown on the revised Special District GDP plan shall be eliminated.



PUBLIC WORKS DEPARTMENT 2122 CAMPUS DR SE - SUITE 200 ROCHESTER MN 55904-4744 www.olmstedpublicworks.com 507.285.8231

September 24, 2003

Jennifer Garness Planning Department

Dear Jennifer:

The Public Works Department has reviewed the <u>Pebble Creek and General</u> <u>Development Plan #209 by Western Walls, Inc.</u> and has the following comments:

- Access control will be required along 60th Ave NW
- 100 feet minimum right of way width will be required.

Sincerely,

Michael Sheehan County Engineer

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MTS/ts





ROCHESTER PARK AND RECREATION DEPARTMENT

September 18, 2003

TO:

Jennifer Garness

Planning

RE:

Pebble Creek

General Development Plan #209

REVISION 2

Depending on the actual number of dwelling units, the proposed 390 acre development will have a parkland dedication requirement of between 40-58 acres. Dedication should be in the form of a combination of land and cash in lieu of land.

The centralized location of the proposed 9.8 acre neighborhood park is excellent in that all residential development within the subdivision is within $\pm 2,000$ ° of the park. The Park Department is recommending approval of the park layout and location.

The 2.2 acre park identified as 'town square' should be identified as a neighborhood park. The Park Department is recommending approval of the 2.2 acre park layout and location.

The GDP does not indicate what lands are intended to be public and which are to remain private. The ownership of the wetland / drainage corridors is not indicated on the plan.



ROCHESTER – OLMSTED PLANNING DEPARTMENT 2122 CAMPUS DRIVE SE, SUITE 100, ROCHESTER, MN, 55904-4744 PH: (507) 285-8232 FAX: (507) 287-2275

To: Rochester Planning and Zoning Commission

From: Phil Wheeler, AICP, Planning Director

Date: September 17, 2003

Re: Pebble Creek General Development Plan and Special District

City staff and the applicant have met several times, with numerous side conversations, to work out most ordinance language and general development plan issues related to the Pebble Creek Special District. Revisions to the ordinance provide for mixed density and mixed use development, a range of densities and housing styles, a pedestrian-friendly environment in commercial and residential areas, significant amounts and types of open space, and attractive connecting pedestrian ways and streets. GDP revisions provide for the preservation of green space and public access along the drainage way and a desirable system of parks and landscaped streets.

Special District Ordinance Text:

The attached ordinance is a significant revision to the July draft ordinance. Organizationally, all regulations applying to specific land use areas are grouped together. There are only three such areas, the civic-institutional areas having been eliminated (due to the availability of all parts of the site for area accessory development). All three remaining areas provide for a mix of densities and two of the three provide for a mix of uses. Both the Neighborhood Commercial District (NCD), which allows up to 25% of the ground floor area to be used for residential uses, and the Urban Residential District (URD), which allows the first 150 feet of block depth abutting the NCD to be used for commercial uses, accommodate mixed use.

Architectural standards are clarified for all districts. Some of the required architectural information will be provided during the course of development as plats are submitted. The role of the Planning Commission in reviewing site plans in the NCD is spelled out.

The attached ordinance is still in draft form. It has the support of both the staff (Planning and other city departments) and the developer, with two unresolved issues: the width of "B" streets and the architectural style of townhouses in the Urban Residential District (URD).

Width of streets: Staff recommend that "B" streets be constructed at 36 feet wide, sufficient to provide two travel lanes and two parking lanes as well as to provide two through lanes and left turn lanes in each direction at intersections. The need for turn lanes is dependent on volume, which in turn depends on the proportion of trips attracted to "B" streets. The applicant contends that the grid system provided for in the GDP will draw enough trips off the "B" streets to enable them to function without turn lanes. We will review the trip assignment before the Commission meeting and provide a revised recommendation if warranted.

Style of Townhouses in the URD: The City has an interest in ensuring that the pedestrian-friendly atmosphere of the proposed development is maintained. Garages



that project closer to the street than the principal structure are considered in the literature on new urbanist development to detract from that atmosphere. In the Neighborhood Residential District, this issue is addressed by limiting the location of units that can have projecting garages (one side only of any street), the proportion of those houses (60% of the structures on that side), and the extent of projection (12 feet). Finally, where a house has a projecting garage, it must also have a porch.

The latest draft of the ordinance provides that 50% of structures in the URD must be built at a 15 foot setback. This means that for those structures, garages will be located behind the front of the house by at least five feet (since garages must have a 20 foot setback). The draft is silent on the attributes of projecting garages for those structures which have them, so conceivably if half of the structures are multi-family structures and the other half are townhouses, all townhouses could have projecting garages with no requirement for porches and no limit on the extent of the projection.

The applicant has suggested as an alternative eliminating the 50% requirement for setbacks, but also adding requirements for front porches where garages project beyond principal structures and limiting the extent of the projection to 12 feet (as required in the Neighborhood Residential District).

We have not had the opportunity to review this alternative with other staff in the Planning Department or other city agencies. By the time of the meeting, we will provide the Commission with a recommendation on these alternatives.

General Development Plan

The process of refining the ordinance text has resolved most of the 24 issues raised about the GDP in the July 9, 2003 staff report. All matters pertaining to parkland and stormwater management have been resolved. Street design questions remain, along with associated questions tied to street widths. By the time of the Commission meeting, we will have a recommendation reflecting City staff positions on street-related issues.

ORDINANCE NO. ____

AN ORDINANCE CREATING AND ENACTING CHAPTER 64(), AND AMENDING AND REENACTING SECTION 60.327 OF THE ROCHESTER CODE OF ORDINANCES, RELATING TO THE ESTABLISHMENT OF THE PEBBLE CREEK SPECIAL DISTRICT.

THE COMMON COUNCIL OF THE CITY OF ROCHESTER DO ORDAIN:

Section 1. Chapter 64 of the Rochester Code of Ordinances is hereby created and enacted to read as follows:

640. PEBBLE CREEK SPECIAL DISTRICT

64O.050. The purpose of this Special District is to provide for zoning regulations that will be administered in the Pebble Creek Special District, as required in Section 62.900 of the Rochester Code of Ordinances (City of Rochester Zoning Ordinance and Land Development Manual). The following are the goals, objectives and special regulations of the Pebble Creek Special District.

64O.100 BOUNDARIES OF THE LAND.

This ordinance shall apply to the following described property located within the City of Rochester, County of Olmsted, State of Minnesota:

All of the Northeast Quarter of Section 13, and all of the East Half of the Northwest Quarter of Section 13, Township 107 North, Range 15 West, Olmsted County, Minnesota.

ALSO:

That part of the Southeast Quarter of Section 13, Township 107 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of the Southeast Quarter of said Section 13; thence North 00 degrees 02 minutes 04 seconds East, assumed bearing, 1960.15 feet to the southwest corner of the North 40.00 acres of the Southeast Quarter of said Section 13; thence North 89 degrees 55 minutes 47 seconds East, 1004.86 feet for a point of beginning; thence South 00 degrees 02 minutes 04 seconds West, parallel with the west line of Southeast Quarter, 1120.62 feet to the centerline of County Road No. 4 (as described in Book Y-3 of Miscellaneous Records, Page 283, Olmsted County Recorder's Office); thence South 72 degrees 44 minutes 53 seconds East, along said centerline, 845.51 feet; thence continue southeasterly 935.12 feet, along said centerline, along a curve, concave to the southwest, central angle of 46 degrees 45



minutes 20 seconds, radius of 1145.92 feet and chord of said curve bears South 49 degrees 22 minutes 13 seconds East, 909.39 feet to the south line of said Southeast Quarter; thence South 89 degrees 57 minutes 02 seconds East, along said south line, 141.90 feet to the southeast corner of said Southeast Quarter; thence North 00 degrees 02 minutes 35 seconds West, along the east line of said Southeast Quarter, 1965.67 feet to the southeast corner of the north 40.00 acres of said Southeast Quarter; thence South 89 degrees 55 minutes 47 seconds West, parallel with the north line of said Southeast Quarter, 1637.39 feet to the point of beginning.

ALSO:

That part of the West One Half of the Southeast Quarter of Section 13, Township 107 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Commencing at the southwest corner of the Southeast Quarter of said Section 13; thence North 00 degrees 02 minutes 04 seconds East, assumed bearing, 1449.02 feet for a point of beginning; thence continue North 00 degrees 02 minutes 04 seconds East, 511.13 feet to the southwest corner of the North 40.00 acres of the Southeast Quarter of said Section 13; thence North 89 degrees 55 minutes 47 seconds East, along the south line of said North 40.00 acres, 1004.86 feet; thence South 00 degrees 02 minutes 04 seconds West, parallel with the west line of Southeast Quarter, 1120.62 feet to the centerline of County Road No. 4 (as described in Book Y-3 of Miscellaneous Records, Page 283, Olmsted County Recorder's Office); thence North 72 degrees 44 minutes 53 seconds West, along said centerline, 417.87 feet; thence northwesterly 336.01 feet, along said centerline, along a curve, concave to the northeast, central angle of 00 degrees 30 minutes 14 seconds, radius of 38197.19 feet and chord of said curve bears North 72 degrees 29 minutes 46 seconds West, 336.01 feet to a point being 285.20 feet east of, as measured at right angles to the west line of said Southeast Quarter; thence North 00 degrees 02 minutes 04 seconds East, parallel with said west line, 383.09 feet; thence North 89 degrees 57 minutes 56 seconds West, 285.20 feet to the point of beginning. Being subject to an easement for the County Road No. 4 right of way over the southerly boundary thereof.

ALSO:

That part of the East one Half of the Southwest Quarter of Section 13, Township 107 North, Range 15 West, Olmsted County, Minnesota, described as follows:

Commencing at the southeast corner of the Southwest Quarter of said Section 13; thence North 00 degrees 02 minutes 04 seconds East, assumed bearing, along the east line of said Southwest Quarter, 1158.30 feet to the centerline tangent of County Road No. 4 (as described in Book C-4 of Miscellaneous Records, Page 402, Olmsted County Recorder's Office); for a point of beginning; thence North 71 degrees 47 minutes 23 seconds West, along said centerline tangent, 1376.11 feet to the west line of the East One Half of said Southwest Quarter; thence North 00 degrees 05 minutes 53 seconds West, along said west line, 1029.76 feet to the northwest corner of the East One Half of

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said Southwest Quarter; thence North 89 degrees 55 minutes 47 seconds East, along the north line of said Southwest Quarter, 1309.82 feet to the northeast corner of said Southwest Quarter; thence South 00 degrees 02 minutes 04 seconds West, along the east line of said Southwest Quarter, 1461.40 feet to the point of beginning.

ALSO:

The North 40.00 acres of the southeast Quarter of Section 13, Township 107 North, Range 15 West, Olmsted County, Minnesota.

Containing in all, 390.93 acres more or less.

640,200. LEGISLATIVE INTENT AND FINDINGS.

Subd. 1. Performance Goal: Pebble Creek provides an alternative to single-use zones and offers a different mixed-use development that is environmentally sensitive, affordable, and socially aware.

Subd. 2. This Special District is established to foster the development of a comprehensively planned, affordable neighborhood. This is accomplished by providing a variety of land uses, housing types/densities and considerable open space connectivity. Architectural controls and landscape design are also used to create a balance for the proposed higher density. The site's size and location, adjacent to 60th Avenue NW (a future expressway) and Valley High Drive NW, makes this an ideal place to create a district that makes efficient use of developable land with a compact, mixed-use development plan.

This type of development is consistent with the goals and policies of the City's Land Use Plan and Housing Plan, which encourages locating mixed-use, and higher density residential uses at the intersections of major streets.

640.210. ESTABLISHMENT OF PEBBLE CREEK SPECIAL DISTRICT. Subdivision 1. Pursuant to Section 62.900 of the Rochester Code of Ordinances, the Rochester Common Council hereby creates a special zoning district to be known as the Pebble Creek Special District ("Special District"). The Special District is an overlay zoning district designed to bring about the innovative development of the Site. As a part of this Special District, the property will be divided into three sub-districts (see Exhibit B). The regulations set forth in this Special District supersede the regulations of the noted underlying zoning district. Unless otherwise specified within these regulations, except as modified by Development Agreements, all other standards and requirements of the Rochester Zoning Code and Land Development Manual remain in effect.



The determination of the need for the creation of this Special District Subd. 2. is based upon the following findings:

- This Special District offers diverse housing options, including a wide range of single family residential, townhouses, and multi-family in one integrated Α. neighborhood community. The development provides for a mixture of housing styles and costs. It also provides for a neighborhood retail service within a walkable distance, which reduces automobile usage.
- The development preserves the major drainage corridor and provides B. interconnectivity of diverse housing areas and types to parks, open space, and neighborhood retail.
- The development is unique and is a large parcel of land being proposed by C. one owner. It provides an opportunity to establish a cohesive neighborhood with open spaces that will promote social interaction.
- The site design will be compatible with adjoining neighborhoods. D.

640.220 Subdistrict Regulations

Subdivision 1. There are three subdistricts established in this Special District, including a "neighborhood residential district," an "urban residential district," and a "neighborhood center district." The following regulations apply within the subdistricts established in this special district:

- A. Neighborhood Residential District (NRD) The following regulations apply within the area identified as "Neighborhood Residential District" on the Pebble Creek General Development Plan.
 - 1) Unless otherwise specified in this special district, the regulations of the R-1 District shall apply within the NRD.
 - 2) Permitted uses shall include all Type I uses permitted in the R-2 District with the exception of duplexes. All permitted uses shall be classified as Type I uses.
 - 3) Lot development standards
 - a. Lots within the NRD shall have no minimum required lot area.
 - b. Blocks within the NRD shall provide for architectural styles and may provide for a mix of lot sizes consistent with the overall architectural standards of the special district.
 - c. Street trees (1-1/2" caliper) shall be installed at the rate of one street tree per lot, for "single family" areas, or either one street tree per dwelling or one street tree per 35' of street length, whichever is fewer, along the sides of streets identified as having street trees in the NRD area of the general development plan.
 - d. For the length of any block, no more than one side of any street may include lots with a projecting garage (see definition). For that side of the street, no more than 60% of the lots may have projecting garages. To the extent

feasible, lots with projecting garages should be concentrated toward the ends of blocks. The sides of streets accommodating projecting garages shall be identified at the time of final plat approval.

e. A projecting garage in the NRD shall not project more than 12 feet beyond the principal building. All such buildings shall have a minimum front yard of 20 feet and shall be provided with front porches at least one step above the adjacent ground elevation with a depth of at least six feet extending along the front of the principal building for its entire width, excluding an extended foyer, for its entire width. A porch may be provided extending along the front of a principal building from the side of an extended foyer.

f. Garages with vehicle access oriented away from the street shall include windows on the side toward the street. This does not include garages with access from an alley

- g. Lots in blocks identified as "single family" on the Pebble Creek General Development Plan shall meet the standards of Section 62.231 and 62.232 with the following modifications:
 - (1) Minimum lot width at the building line shall be 35 feet with a minimum average lot width at the building line of 55 feet for each block within the NRD.

(2) Minimum front yard shall be 15 feet.

(3) The minimum sum of side yards shall be 10 feet. Minimum side yard for other than zero lot line dwellings shall be 3 feet.

(4) Side street yard setback shall be 11 feet.

(5) For all streets in the NRD area of the general development plan not identified as having street trees provided by the developer, plats shall include covenants requiring that lot owners provide at least one street tree in boulevard areas within 5 years of issuance of a building permit for the property.

h. Lots in blocks within the NRD identified for dwelling styles other than "single family" shall meet the standards of Section 62.231 and 62.232 with the following modifications:

(1) For all lots in blocks identified on the General Development Plan for "compact single family" or "patio home" styles, the following standards shall apply:

(a) Minimum lot width at the building line shall be 30 feet with a minimum average lot width at the building line of 35 feet for each block within the NRD.

(b) Minimum front yard shall be 15 feet.

(c) The minimum sum of side yards shall be 10 feet. Minimum side yard for other than zero lot line dwellings shall be 3 feet.

(d) Side street side yard setback shall be 11 feet.

- (e) The number of dwellings in any block shall not exceed 15 per acre of lot area in the block.
- (2) For all areas within the NRD identified on the General Development Plan for townhouse style development, and for other development styles with



Common Interest Community (CIC) plats, the following standards shall apply:

(a) Minimum front yard shall be 15 feet. Front yard setbacks on private streets shall be measured from face of curb for both "access roadways" and "limited access roadways".

(b) Side street side yard setback shall be 11 feet and shall apply to both private and public streets.

(c) The number of dwellings in any block shall not exceed 15 per acre of area in the block.

(d) On-street parking shall be counted toward meeting parking requirements for areas in the NRD identified for townhouse development.

(e) In blocks abutting parks and open space corridors, landscaped area and recreation area requirements may be reduced by 50%.

(3) For all streets in the NRD area of the general development plan not identified as having street trees provided by the developer, plats shall include covenants requiring that at least one street tree in boulevard areas per dwelling or one street tree per 35 feet of street length, whichever is fewer, be provided within 5 years of issuance of a building permit for the property.

4) Architectural Standards. Blocks within the NRD shall provide for an adequate mix of architectural styles, as shown in the residential character intent images relevant to the block, consistent with the overall architectural standards of the special district. The adequacy of mix in architectural styles shall be determined in accordance with the following standards:

a. No more than three abutting dwellings shall have the same architectural style.

b. Except for townhouses and patio homes, where abutting dwellings have the same style, either the orientation of the building or the exterior finish shall be varied.

- B. Urban Residential District (URD)
 - 1) Unless otherwise specified in this special district, the regulations of the R-3 District shall apply within the URD.
 - 2) Permitted uses shall include the following:
 - a. all Type I uses permitted in the R-3 District with the exception of duplexes
 - b. Area accessory development in accordance with the procedure types applicable in the R-3 District.
 - c. Where the URD abuts a neighborhood center district either directly or across a street, uses permitted in the NCD and meeting the architectural, lot development, parking, and signage standards of the NCD, shall be allowed within the first 150' of block depth of the URD, with the following requirements:
 - (1) There shall be no drive-in facilities, car washes, parking facilities as a principal use, nor sale of automotive fuels.
 - (2) Building setbacks shall not exceed 15 feet.
 - (3) Hours of operation standards of the B-1 District shall apply to all uses.
 - (4) Residential uses may occupy 100% of the block frontage.
 - (5) Parking lot screening and landscaping requirements of the NCD District shall apply to all accessory parking areas associated with non-residential uses.
 - (6) Bufferyard requirements shall not apply to non-residential uses.
 - d. All residential uses shall be classified as Type I uses. All non-residential uses shall be processed in accordance with the procedures applicable in the NCD subdistrict.
 - 3) Lot development standards
 - a. Street trees (1-1/2" caliper) shall be installed at the rate of one street tree per dwelling or an average of one street tree on each side of street per 35 feet of street length, whichever is fewer, along the side of streets identified as having street trees in the URD area of the general development plan.
 - b. For all areas within the URD identified on the General Development Plan for townhouse style development, the following standards shall apply:
 - (1) Minimum front yard setbacks shall be 15 feet. Front yard setbacks on private streets shall be measured from face of curb for both "access roadways" and "limited access roadways".
 - (2) Blocks along drainage features may provide for projecting garages. A projecting garage in the URD shall not project more than 18 feet beyond the principal building. All such dwellings shall have a minimum front yard of 20 feet and shall be provided with front porches at least one step above the adjacent ground elevation with a depth of at least six feet extending along the front of the principal building for its entire width, excluding an extended foyer, for its entire width. A porch may be provided extending along the front of a principal building from the side of an extended foyer.



- (3) Steps, eaves, decks, and private patios enclosed with a fence or columns are permitted in the front yard setback. All patios must be setback a minimum 3 feet from right of way or private street easement.
- (4) Minimum side street yard setback shall be 11 feet

(5) Minimum rear yard shall be 5 feet

- (6) The number of dwellings in any block shall not exceed 18 per acre of area in the block.
- (7) On-street parking shall be counted toward meeting parking requirements for areas in the NRD identified for townhouse development.
- c. For all areas within the URD identified on the General Development Plan for multi-family style development, the following standards shall apply:
 - (1) Minimum front yard setback shall be 12 feet. Steps, eaves, decks, private patios and fence/hedges for court yards are permitted to encroach within the setback
 - (2) Minimum rear yard setback shall be 6 feet
 - (3) Minimum side yard setback shall be 6 feet
- d. In blocks abutting parks and open space corridors, landscaped area and recreation area requirements may be reduced by 50%.
- 4) Architectural Standards. Blocks within the URD shall provide for a mix of architectural styles, as shown in the residential character intent images relevant to the block, consistent with the overall architectural standards of the special district.

- C. Neighborhood Center District (NCD)
 - 1) Unless otherwise specified in this special district, the regulations of the B-1 District shall apply within the NCD.
 - 2) Site Development Plan and Site Plan Review: A site development plan for uses in the Neighborhood Center Districts shall be prepared and submitted for review in accordance with the standard requirements of the existing Zoning Ordinance and Land Development Manual for the City of Rochester. The City Planning Commission will conduct a site plan review without a public hearing for uses within the NCD to determine whether plans are consistent with the overall architectural standards and character of this Special District.. Proposed uses in the NCD shall be reviewed in terms of the extent to which they comply with standards of this district established for architecture, signage, parking, and landscaping.
 - 3) Convenience retail, restaurants, retail trade, drinking and entertainment uses shall be exempt from the hours of operation requirements of the B-1 District.
 - 4) Stacking requirements for drive-in facilities shall be reduced to 4 inbound and 1 outbound space per lane.
 - 5) Permitted uses shall include the following:
 - a. all Type I uses permitted in the B-1 District with the exception of the following
 - (1) Manufactured home park.
 - (2) Sales & storage lots
 - (3) Sand or gravel excavation
 - (4) Trade Shops
 - (5) Use of storage containers
 - (6) Duplexes
 - (7) Wholesaling
 - (8) Trade shops
 - (9) Transportation services
 - b. Additional uses permitted in the NCD shall be as follows:
 - (1) membership services
 - (2) drinking and entertainment.
 - (3) Bed and breakfasts
 - (4) Congregate housing
 - (5) Accessory apartments
 - (6) Car washes accessory to a convenience retail use or automotive maintenance service
 - (7) Veterinary services.
 - (8) Emergency services.
 - (9) Drive in facilities associated with a fast food restaurant or financial institution
 - 6) Limitations on permitted uses:
 - a. No more than one convenience retail use that includes sales of automotive fuels may be permitted in each NCD.

- b. Apartments, accessory apartments, congregate housing, and condominium residences shall occupy no more than 25% of the ground floor space of any block in the NCD.
- c. With the exception of transient accommodation and restaurant uses, individual businesses shall not exceed 10,000 square feet of floor area on the ground floor.
- d. Where parking lots or structures are established as a principal use, the interruption in buildings along the street frontage for accessing parking areas shall be limited to 40 feet. Parking structures established as a principal use shall not exceed five floors above ground level.
- e. All uses in the NCD shall be treated as Type II uses with the following changes in procedure:

(1) The Zoning Administrator shall not send a Notice of Proposed Action to affected parties;

(2) The Commission shall take action either to uphold, to reverse, or to modify the preliminary decision of the Zoning Administrator without conducting a public hearing.

(3) Affected parties shall not have the right to request a hearing before the Commission.

(4) Following the decision of the Commission, the Zoning Administrator shall proceed as directed in Section 60.525.

7) Lot development standards

a. Facilities for private refuse disposal and recycling shall be enclosed by a solid fence overall and landscaping shall be installed around the perimeter (except in underground parking).

- b. Benches, trash containers for public areas, and movable planters, are required to add vitality to the street scene. These items may be adjacent to the front of a building, in the public right-of-way, or may be in a landscaped area adjacent to the front of the building.
- c. Bicycle-locking stands are required in each neighborhood center area. One stand, which holds a minimum of six bicycles, shall be provided for every 20,000 square feet of gross leaseable space, excluding parking and storage. These stands must harmonize with the architecture of the retail area.
- d. One street tree for every 35 feet of public street length shall be provided. The distance between trees may vary. These trees shall be 2" caliper and planted in beds or tree grates with a minimum width depth and/or diameter of five feet.

8) Parking

- a. Business center parking standards shall be used. Parking shall be provided for residential units in the NCD at the rate of one off-street stall per unit is required and parking for residences must be reserved.
- b. Parking shall be located on the side or to the rear of the retail uses. Besides on-street parking, no parking in front of the retail uses shall be allowed. On street parking in front or on the side of the lot shall count toward fulfilling the parking requirements.

c. Parking lot screening:

- (1) All parking areas containing more than six spaces (if not screened by the building from the public roads and not including angle or perpendicular parking adjacent to public or private roads) must be screened with a hedgerow, or a 36" high berm, or a low wall (42" minimum height). These landscaped areas must be a minimum of 3'-0" wide. Where angle or perpendicular parking is adjacent to these areas, then the minimum width shall be 5'-0". Hedgerows shall be planted at a maximum of 4'-0" on center and shall reach a minimum height of 36" and a maximum height of 6'-0".
- (2) Parking lots for apartments/multi-family units will not be required to be screened with a hedgerow. A landscaped area of trees and shrubs shall be provided to draw attention away from the parking area.

d. Parking lot landscaping:

- (1) Parking areas containing more than 15 spaces and containing more than two contiguous or parallel rows of parking shall have internal landscaping within the parking area equal to at least five percent of paved area of the lot (including drive aisles plus driveways).
- (2) Paved areas do not include sidewalks, patios, or other paved areas not associated with vehicle parking or circulation. Planting areas must be distributed throughout the parking areas. They must have a minimum width of at least eight feet and be at least 100 square feet in area.
- (3) Each 100 square feet of required landscape area must contain at least one canopy tree or two understory trees (minimum size for canopy trees in 1-1/2" caliper and minimum size for understory tree is 1 inch caliper). The landscape islands shall not be used for snow storage and any planting

must be maintained in a healthy condition and appearance. These areas may contain external standard lighting fixtures.

9) Signs

- a. Sign standards: Signs shall add interest to the street level environment. They shall unify the overall architectural concept of the building, or provide unique identity for a commercial space within a larger mixed-use structure. Signage shall be appropriate for the scale, character and use of the project and surrounding area. Signs shall be oriented and scaled for both pedestrians on sidewalks and vehicles on streets. The following sign types satisfy these requirements.:
 - (1) Pedestrian-oriented blade and window signs.
 - (2) Marquee signs and signs on over-head weather protection.
 - (3) Appropriately sized neon signs.
- b. Type B sign standards shall be used with the following modifications:
 - (1) Free standing signs maximum height is 15 feet.
 - (2) Projecting signs maximum size is 20 square feet.
 - (3) Graphic signs maximum area is 15% of wall.

10) Architectural Standards:

- a. Standards for all uses:
 - (1) Each building shall avoid long, monotonous, uninterrupted walls or roof planes. The façade of a building facing the street should be divided into distinct modules, no longer than 150 feet.
 - (2) Mechanical equipment, electrical and communication transformers, cabinets, etc., and service areas shall be located out of public view where feasible or screened from public view with fences, walls or landscaping.
 - (3) Dwellings and parking shall not occupy more than five floors above ground in any structure
- b. Standards for Convenience Retail Uses
 - (1) Convenience Retail uses shall locate automotive fuel service and drive-in service areas away from residences and toward the perimeter streets on the General Development Plan (50th and 60th Avenues NW, 55th Street NW, and Valley High Drive NW).
 - (2) Light from lighting fixtures and signage, and sound from sound-producing equipment shall be deflected away from residences.
 - (3) Foundation landscaping and windows shall be provided along all building sides that are open to view from public streets.
 - (4) Perimeter landscaping at least five feet in depth shall be provided along public streets between sidewalks and driveway or parking areas.
- c. Standards for Other Uses: Uses shall meet the intent of similar character represented in Exhibit "C" and shall be reviewed in accordance with the standards of this special district in addition to the following standards:
 - (1) All sides of the building façade shall be designed to provide architectural and visual interest.

- (2) A minimum of 50% of the building along a street right of way at ground level must be clear or lightly tinted windows, doors, or other treatment that are sufficiently transparent to provide pedestrian views into the building.
- (3) Awnings, covered walkways, open colonnades, or similar weather protection must be provided by at least 25% of the commercial (retail and service) uses that front the right of way.
- (4) Doorways, windows, and other openings in the façade of a building shall be proportioned to reflect pedestrian scale and movement, and to encourage interest at the street level.
- (5) Except for drive-in facilities, a minimum two-story façade is required.
- (6) Exterior materials shall include brick, architecturally treated concrete, stone, tile, stucco, stucco-like panels and other cultured stone, and similar high quality architectural materials.
- (7) Except for drive-in facilities, a minimum of 50% of the building front shall be within five feet of the right of way.
- (8) Buildings shall be oriented to face the street with entrances and display windows at the street level. Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade. A revocable permit will be required by the City whenever a canopy or awning extends into the public right of way. Restaurants shall be permitted to operate outdoor cafes on sidewalks, including areas within the public right of way and in courtyards provided that pedestrian circulation and access to store entrances are not impaired.

640.240. GENERAL DEVELOPMENT STANDARDS

- 1. Public street sections for Pebble Creek shall follow the City of Rochester Department of Public Works Street Standard-Plate Numbers #3-01, #3-02, #3-03, #3-04 and #3-05.
- Alleys will be incorporated where shown on the general development plan. Alley sections shall be 16 feet road on an 18 foot right of way. No curb and gutter will be required.

640.300. BOUNDARIES

The regulations established herein shall apply to the land described in Section 64O.100 and shall be designated "SD" on the zoning map.

64O.400 EXHIBITS "SD _____"

The following documents shall be submitted with the Special District application and included as exhibits of this Ordinance:



- A. Pebble Creek General Development Plan, Exhibit A.
- B. Pebble Creek Land Use Plan, Exhibit B.
- C. Neighborhood center character intent images, Exhibit C.
- D. Roadway Standards, Exhibit D.

64O.500 DEVELOPMENT

GENERAL DEVELOPMENT PLAN AND GUIDE FOR

The Pebble Creek General Development Plan, following Special District approval and a rezoning of the area to Special District, together with the attached Exhibits A, B, C & D are, in combination, recognized as the guide for the development of the Special District.

640.600 EFFECTS OF REGULATIONS

The General Development Plan and Final Plats together with the conditions and restrictions imposed, if any, shall govern the use and development of the land.

640,700 EXTENSION OF SPECIAL DISTRICT

The Special District may be extended by amendment to include the adjacent property. An amendment to the Special District may be initiated by the owner of contiguous undeveloped property or by the City of Rochester. The amendment must support the intent of this Special District. If the extension of land is outside of the area described in 64O.100, a petition to extend said district shall be accompanied by a General Development Plan application and additional submittals consistent with this Chapter.

640.750. DEFINITIONS

- 1. Zero Lot Line: A lot designed for either one dwelling unit of an attached one-family dwelling unit or a detached one-family dwelling unit with one side yard reduced or eliminated.
- 2. Patio Home: A single family dwelling, either attached or detached, situated on a zero lot line.

- 3. Townhouse: An arrangement of single family dwellings separate or joined by common walls on not more than two sides with the uppermost story being a portion of the same dwelling located directly beneath at the grade or first floor level and having exclusive individual ownership and occupant rights of each dwelling unit including but not limited to the land area directly beneath the dwelling.
- 4. Rowhouse Style Townhouse: An attached dwelling joined to at least three others in a row by common walls on not more than two sides. Rowhouses are generally urban housing types, usually on their own lots.
- 5. Projecting Garage: A garage or carport extending to the front of a lot closer than the front of the principal building and oriented such that the vehicle access opening faces the street. Where a portion of the dwelling is located above the garage, the garage is considered to be projecting if the principal entrance door of the dwelling is located at a greater setback than the vehicle access door of the garage.

64O.800 DEVELOPMENT PROCEDURES

Subdivision 1. Except as herein described, development procedures for property within the Special District shall be consistent with the requirements of the Rochester Code of Ordinances. Additional plans and information shall be submitted, as necessary, for development within the Special District, as outlined below. If determined necessary by the Zoning Administrator, additional plans or information necessary for development approvals shall also be submitted.

- Subd. 2. General Development Plan. A General Development Plan application shall include plans and information consistent with the Rochester Code of Ordinances. It shall also include:
 - A. Submission of "Pebble Creek" Special District Ordinance.

B.

- C. Submission of neighborhood center character intent images.
- D. Submission of character intent images for residential dwelling types. The developer shall maintain a list of at least five architectural styles appropriate to residential subdistricts. The list of styles may change over the course of development by adding new styles to the list and deleting styles from the list.
- E. Submission of roadway standards.
- Subd. 3. Pre-Plat Application. Pre-Plat Application within the Special District shall include plans and information consistent with the requirements of the Rochester Code of Ordinances

W

Subd. 4. Phasing. This Special District is for the first phase of Pebble Creek only (57 acres) but may be extended as subsequent phases are allowed or annexed for those phases lying within the approved General Development Plan. The rules of the Rochester Zoning Ordinance and Land Development Manual shall apply to all future phases.

Subd. 5. Final Plat Application. Final plat applications within the Special District shall include plans and information consistent with the requirements of the existing Rochester Code of Ordinances and shall be submitted at least three weeks prior to the City Council meeting at which they will be considered. If requested by the Zoning Administrator, additional information needed in order to judge the nature and propriety of the proposal shall also be submitted.

640.900 RESCINDING APPROVAL

Because this Special District is integrally related to the accompanying Pebble Creek General Development Plan, a Development Agreement is proposed setting a time frame in which these regulations remain in effect. Except as limited by Development Agreements, the Rochester Common Council may without liability rescind the provisions of this Special District and return the property to its underlying zoning district at the time of adoption or to another zoning district. Rescinding this overlay zoning district shall follow the procedures set forth in Section 60.330 of the Rochester Land Development Manual.

Section 2. Section 60.327 of the Rochester Code of Ordinance is amended and reenacted to read as follows:

SD SPECIAL DISTRICTS: Existing Special Districts approved by Ordinance numbers 3443, 3404, 2726, 2516, 2247, 3385, 3462 and 3468 are recognized as separate zoning districts and the plans and procedures established for each Special District will continue in force. When a Special District Ordinance does not specify the procedure or criteria to amend an approved site development plan, the proposed amendment will be reviewed under Section 640.148. When a Special District Ordinance requires a two-phase review, the development will be reviewed under Section 61.146 and either Section 62.708 (1) (for preliminary plans) or Section 62.708 (2) (for final plans).

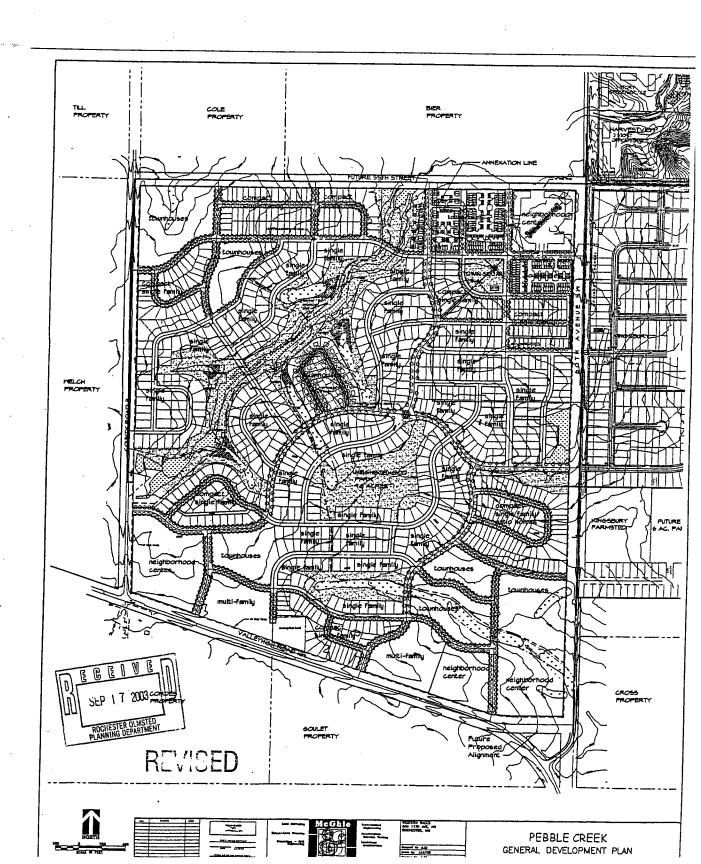
Section 3. This Ordinance shall become effective on and after the date of its Publication.

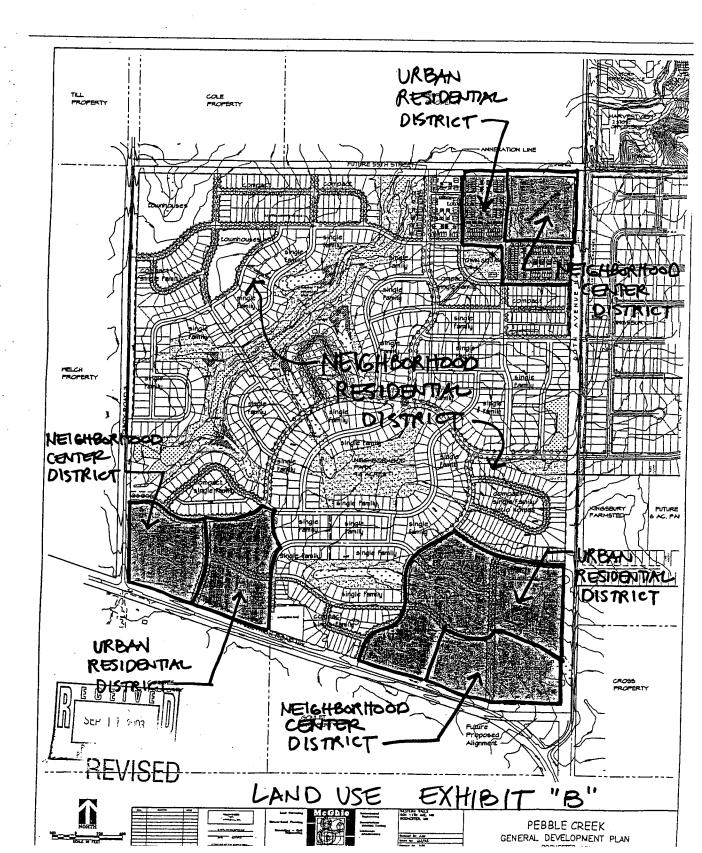
PASSED AND ADOPTED BY THE	COMMON COUNCIL OF T	HE CITY OF
ROCHESTER, MINNESOTA, THIS	_DAY OF	, 2003.

Ord2000/64I.Pebble Creek

43

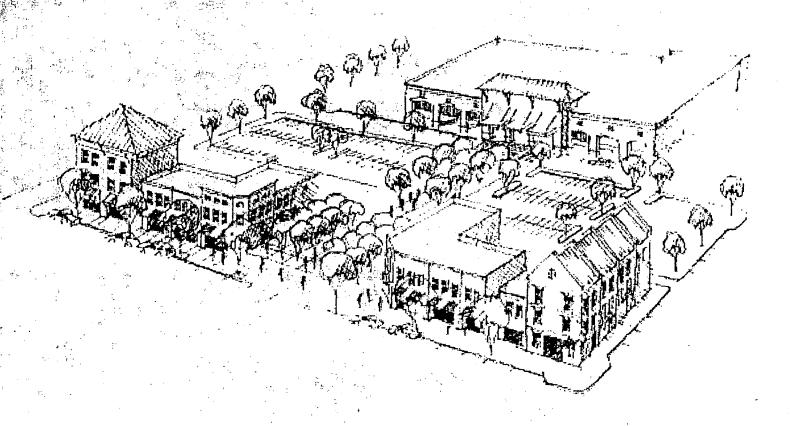
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	PRESIDENT OF SAID	COMMON COUNCIL
ATTEST:CITY CLERK		
APPROVED THIS	_ DAY OF	_, 2003.
(Seal of the City of Rochester, Minnesota)	MAYOR OF SAI	D CITY





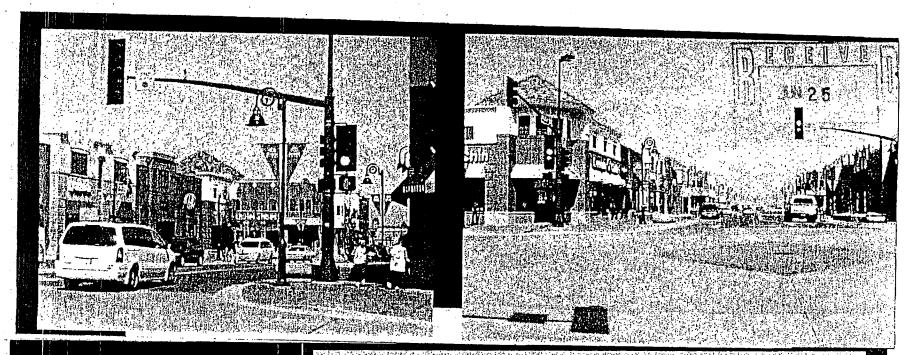
Neighborhood Center

NEIGHBORHOOD CENTER

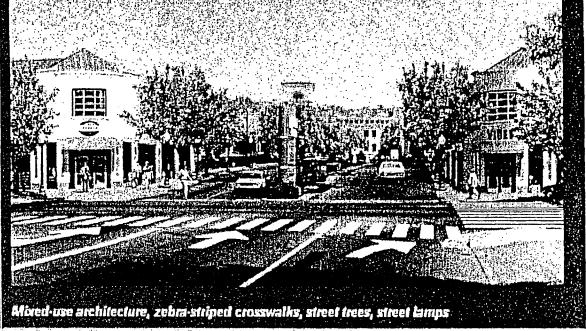


CHARACTER INTENT IMAGES

EXHIBIT "C"



NEW TOWN
CENTER
LOOK



CHARACTER INTENT IMAGES

EXHIBIT "c"

A



Mixed Use

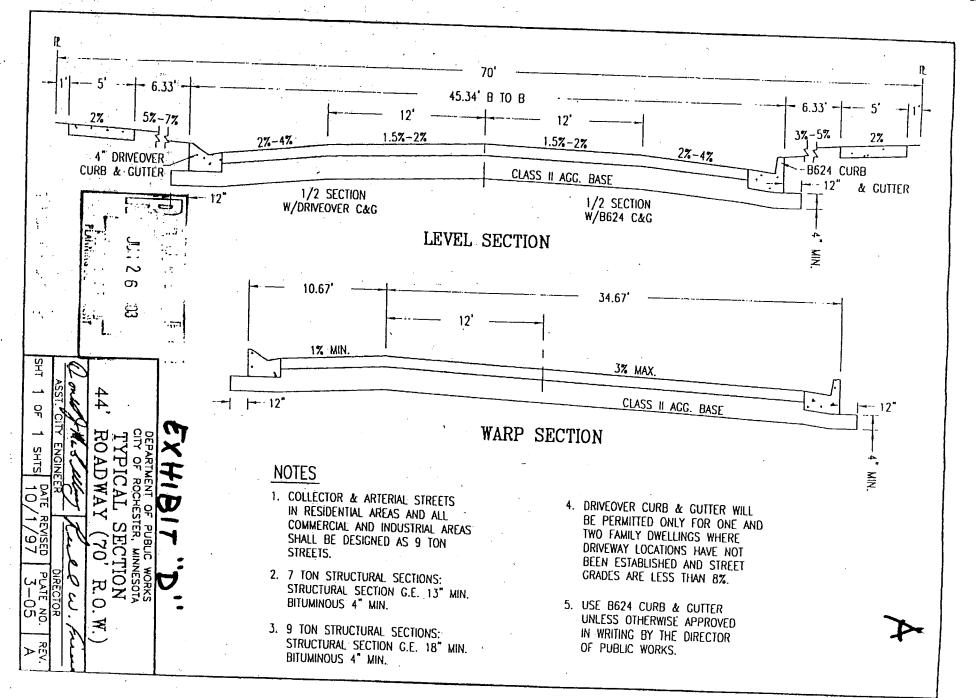
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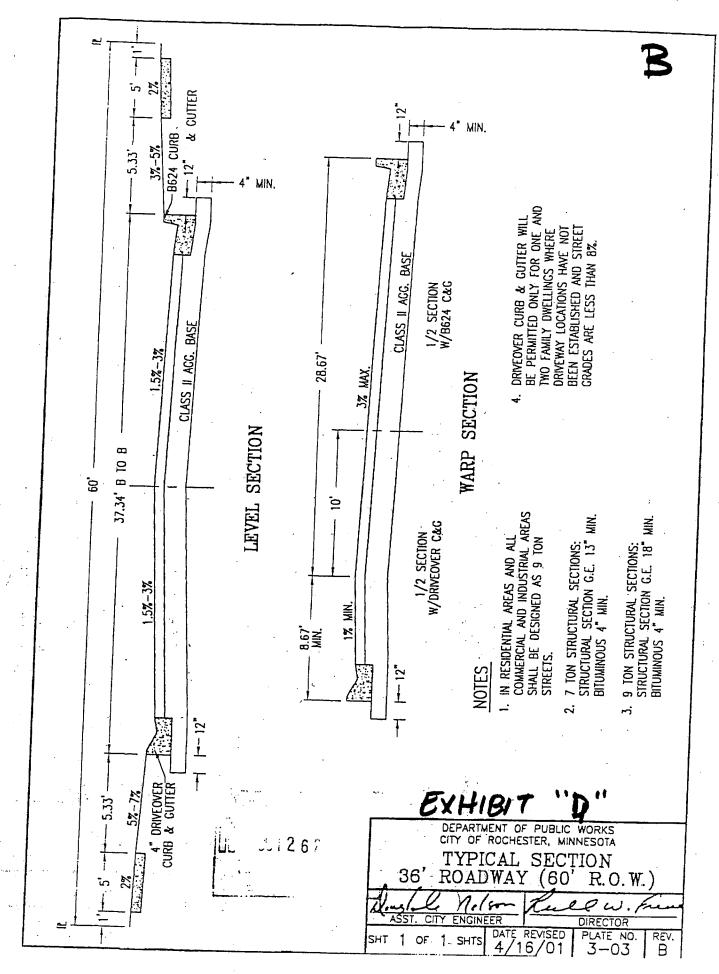
EXHIBIT "c"

PEBBLE CREEK
GENERAL DEVELOPMENT PLAN
ROCHESTER, MM

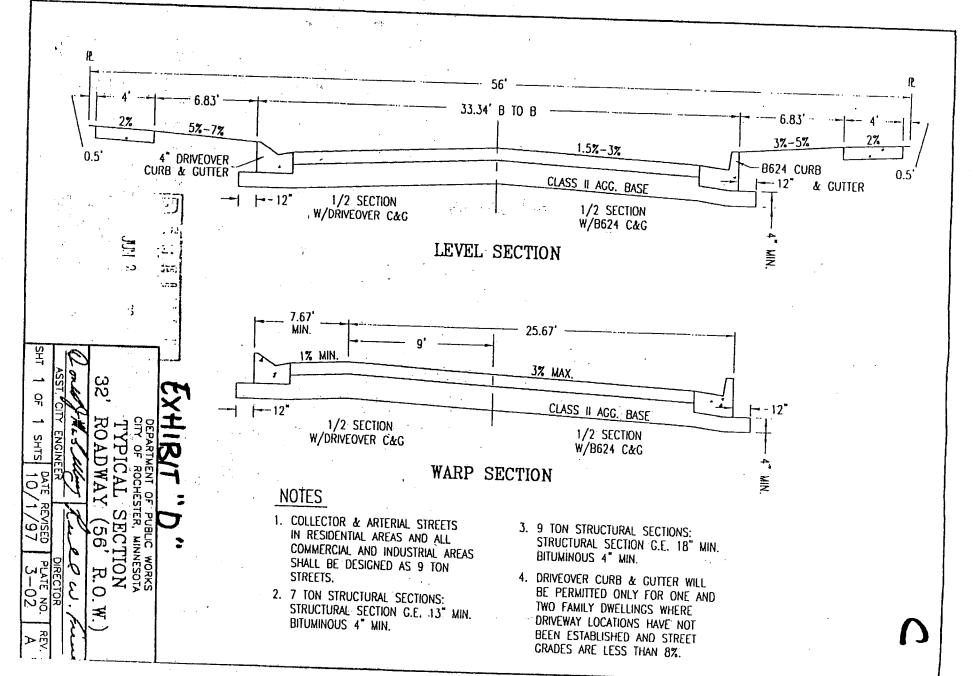
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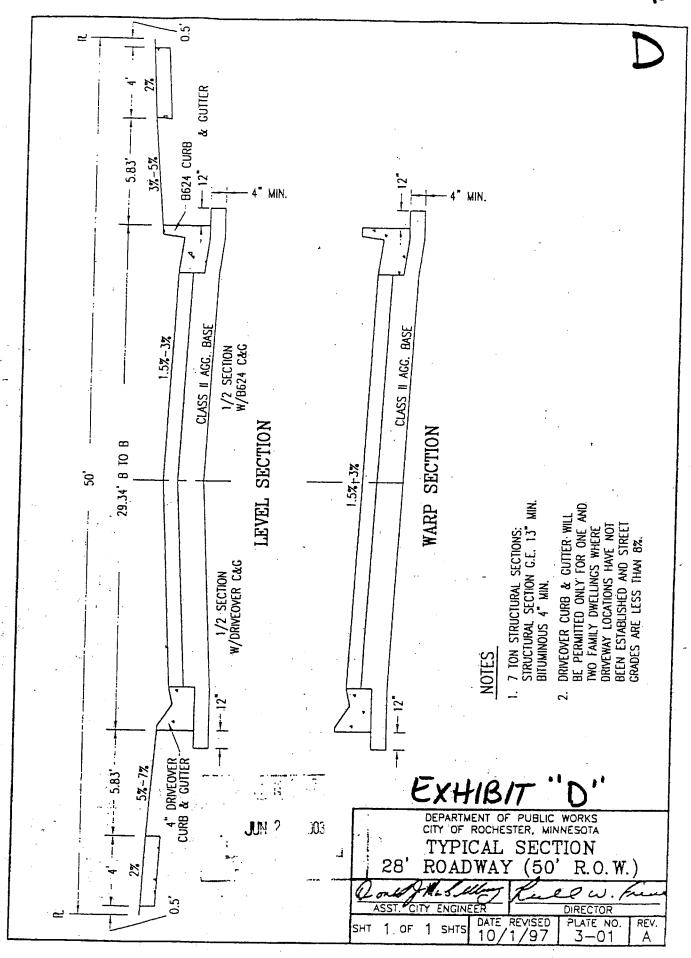


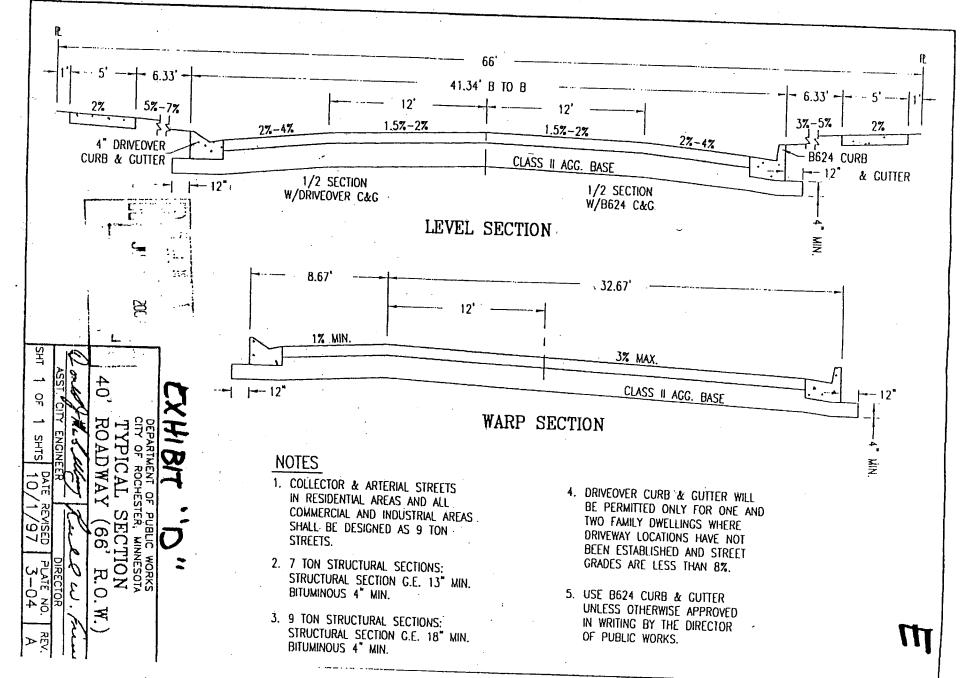












PRIVATE 15

30 OPTION "A" PARKINA

OPTION B"

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PEBBLE CREEK LAND – USE BREAKDOWN

USE	APPROXIMATE NUMBER OF ACRES	PERCENT OF	ESTIMATED NUMBER OF RESIDENTIAL UNITS
Single Family Homes	99.7	25.5%	
Patio Homes/Compact Single Family	56.3		450
Town Homes	2000年	14.4%	310
Multi-Family		13.1%	430
Neighborhood Center	Control of the contro	2.9%	380
Parks & Public Open Space	28.6	7.3%	575
Streets & Right of Way	42.9	11%	0
Civic/Institutional	er de Sulventine	24.2%	. 0
	6.4	1.6%	0
TOTALS	NAME OF THE PERSON OF THE PERS		
- 0 //120	391 ACRES	100%	2145

Overall density = 5.5 Units/Acre